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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/099,767	03/15/2002	Vishwas G. Abhyankar	83297NAB	4048

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EXAMINER

BURLESON, MICHAEL L

ART UNIT	PAPER NUMBER
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2625

DATE MAILED: 11/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/099,767	<b>Applicant(s)</b> ABHYANKAR ET AL.	
	<b>Examiner</b> Michael Burleson	<b>Art Unit</b> 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 2-4, 6-8, 18-20, 23, 25-27, 29-35, 39-58 and 60-66 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2-4, 6-8, 18-20, 23, 25-27, 29-35, 39-58, 60, 61 and 63-66 is/are allowed.
- 6) ☒ Claim(s) 62 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments, see pages 20-21, filed 07/21/2006, with respect to claim(s) 2-4,6-8,18-20,23,25-27,29-35,39-58,60-66 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Sowinski et al US 2001/0053247.
2. With respect to claim 62, Sowinski et al. teaches of viewing renditions of an image with different looks or characteristic appearances of the image and the customer chooses the particular look for his image order (page 7, paragraph 0053). Sowinski et al. meets the limitations of claim 62. Allowability of claim 62 is withdrawn and is now rejected.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claim 62 is rejected under 35 U.S.C. 102(e) as being anticipated by Sowinski et al US 2001/0053247.
5. Regarding claim 62, Sowinski et al. teaches a method of demonstrating a system for storing an image comprising the steps of: a) simulating the image quality of said image under a plurality of image processing conditions and displaying a plurality of simulated images on a display (page 7, paragraph 0051) and b) accepting a command for processing said image according to one of said plurality of simulated images (page 7, paragraphs 0051-0053).

***Allowable Subject Matter***

1. Claims 2-4,6-8,18-20,23,25-27,29-35,39-58,60,61 and 63-66 are allowed.
2. Regarding claims 2 and 25, prior art references fails to teach of an input handler for accepting a preservation request and for accepting input metadata associated with data record to form a metadata record and convert data record and metadata record to a formatted data record, a data processor for accepting formatted data record, for generating at least one preview image from said formatted data record, and for encoding, from said formatted data record, a print file; a preservation medium for recording said print file; a writer for marking said print file onto said preservation medium to form a human-readable preserved data record; a display for representing

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said at least one preview; a storage apparatus for safekeeping of said human-readable preserved data record; a data recovery apparatus for obtaining, from said human-readable preserved data record, said data record and said input metadata record; and wherein said at least one preview image is conditioned by a look-up table.

3. Regarding claims 3 and 26, prior art fails to teach all of the limitations, as stated by claim 2, as well as, at least one preview image is conditioned by a spatial filter.

4. Regarding claims 4 and 27, prior art fails to teach all of the limitations, as stated by claim 2, as well as, at least one preview image is bitonal.

5. Regarding claims 6 and 29, prior art fails to teach all of the limitations, as stated by claim 2, as well as, at least one preview image is an RGB color image.

6. Regarding claims 7 and 30, prior art fails to teach all of the limitations, as stated by claim 2, as well as, at least one preview image is a CMY color image.

7. Regarding claim 8, prior art fails to teach all of the limitations, as stated by claim 2, as well as, at least one preview image is conditioned by a spatial filter.

8. Regarding claim 18, prior art fails to teach all of the limitations, as stated by claim 2, as well as, said display comprises a CRT.

9. Regarding claims 19 and 42, prior art fails to teach all of the limitations, as stated by claim 2, as well as, said display comprises a touchscreen.

10. Regarding claim 20, prior art fails to teach all of the limitations, as stated by claim 2, as well as, an operator console for entering instructions.

11. Regarding claim 23, prior art fails to teach all of the limitations, as stated by claim 2, as well as, said data processor is connected on a network.

12. Regarding claim 31, prior art fails to teach all of the limitations, as stated by claim 2, as well as, at least one preview image is a palletized color image.
13. Regarding claim 32, prior art fails to teach all of the limitations, as stated by claim 2, as well as, said preservation medium is photosensitive.
14. Regarding claim 33, prior art fails to teach all of the limitations, as stated by claim 2, as well as, said preservation medium comprises a metal plate.
15. Regarding claim 34, prior art fails to teach all of the limitations, as stated by claim 2, as well as, said preservation medium comprises a thermal medium.
16. Regarding claim 35, prior art fails to teach all of the limitations, as stated by claim 2, as well as, said preservation medium is an electrophotographic medium.
17. Regarding claim 39, prior art fails to teach all of the limitations, as stated by claim 2, as well as, said writer images using an electron beam.
18. Regarding claim 41, prior art fails to teach all of the limitations, as stated by claim 2, as well as, said writer images using a radiant energy source.
19. Regarding claim 43, prior art references fails to teach of a method preserving data comprising processing encoded data record to provide at least one preview page and displaying the at least one preview page and accepting a print instruction.
20. Regarding claim 63, prior art fails to teach of a system for converting said data record to a rasterized image; preprocessing said rasterized image to generate a preprocessed image; simulating a retrieved data record to generate a simulated retrieved data record comprising: simulating a media writer; simulating a media; simulating a retrieval scanner; post processing said simulated retrieved data record to

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generate a post processed simulated retrieved data record; displaying said post processed simulated retrieved data record; prompting a user for approval of said post processed simulated retrieved data record; if said post processed simulated retrieved data record is approved by said user, write said preprocessed image to said media; if said post processed simulated data record is not approved by said user, cancel preservation operation.

### ***Conclusion***

Any inquiry concerning this communication should be directed to Michael Burleson whose telephone number is (571) 272-7460 and fax number is (571) 273-7460. The examiner can normally be reached Monday thru Friday from 8:00 a.m. – 4:30p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached at (571) 272-7437.

Michael Burleson  
Patent Examiner  
Art Unit 2626



MIb  
October 24, 2006



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